

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

22-cr-0673 (LAK)

SAMUEL BANKMAN-FRIED, et al.,

Defendants.

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**SCHEDULING ORDER FOR TRIAL-RELATED
MOTIONS AND DISCOVERY**

LEWIS A. KAPLAN, *District Judge*.

The Court appreciates the largely successful efforts of counsel to work out a mutually acceptable schedule, much of which is adopted in this order which in some respects modifies the agreement and, in addition, resolves points on which counsel were not in agreement.

The following schedule is adopted.

August 14, 2023	<p>The Government shall provide notice to the defendant of evidence it may seek to offer pursuant to Federal Rule of Evidence 404(b).</p> <p>The parties shall provide notice to each other, consistent with the requirements of Federal Rule of Criminal Procedure 16, of experts potentially to be called, if any, during the Government's case-in-chief and the defendant's case.</p> <p>The defendant shall provide notice to the Government, consistent with the requirements of Federal Rules of Criminal Procedure 12.2 and 16, of his intention to present an advice of counsel defense or a defense based on mental condition or defect.</p> <p>The parties shall file any motions <i>in limine</i>.</p>
August 21, 2023	<p>The parties shall file proposed jury instructions.</p> <p>The parties shall provide notice to each other, consistent with the requirements of Rule 16, of rebuttal experts, if any, to be called during the defendant's case or during the Government's rebuttal case.</p>

August 28, 2023	<p>The parties shall file any <i>Daubert</i> motions.</p> <p>The parties shall file oppositions to motions <i>in limine</i>.</p>
September 8, 2023	<p>The Government shall provide to the defendant material covered by 18 U.S.C. § 3500, including material pursuant to <i>Giglio v. United States</i>, 405 U.S. 150 (1972), other witness materials, and a list of witnesses whom the Government reasonably expects to call in its case-in-chief. The Government shall continue to provide witness materials as they are generated on a rolling basis.</p> <p>The Government shall provide to the defendant a list of exhibits the Government reasonably expects to seek to introduce during its case-in-chief. This exhibit list will be subject to good-faith revision as the Government continues to prepare its case for trial, including in response to the defense's list of proposed exhibits that it anticipates seeking to introduce into evidence during the Government's case-in-chief.</p>
September 11, 2023	<p>The parties shall file oppositions to any <i>Daubert</i> motions.</p> <p>The parties shall file proposed questions for the examination of prospective jurors.</p>
September 18, 2023	<p>Defense counsel shall provide to the Government a list of exhibits that the defendant reasonably expects to introduce during the Government's case-in-chief or the defendant's case. This exhibit list will be subject to good-faith revision as the defense continues to prepare for its case.</p> <p>The defendant shall produce material covered by Federal Rule of Criminal Procedure 16.</p> <p>Defense counsel shall provide to the Government material covered by Federal Rule of Criminal Procedure 26.2 and a list of witnesses whom the defendant reasonably expects to call in his case.</p>

SO ORDERED.

Dated: July 1, 2023

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge